

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

ANGIODYNAMICS, INC.,

Plaintiff,

vs.

C.R. BARD, INC.; BARD ACCESS  
SYSTEMS, INC.,

Defendants.

No. 1:17-CV-0598 (BKS/CFH)

Judge Brenda K. Sannes

Mag. Judge Christian F. Hummel

**DECLARATION OF PHILIP J. IOVIENO**

Philip J. Iovieno declares under penalty of perjury as follows:

1. I am a partner in the law firm Boies Schiller Flexner LLP, counsel for Plaintiff AngioDynamics, Inc. (“AngioDynamics” or “Plaintiff”) in the above-captioned matter. I make this declaration based on personal knowledge and in further support of AngioDynamics’ Motion for Partial Summary Judgment against Defendants C.R. Bard, Inc. and Bard Access Systems, Inc.’s (collectively, “Bard” or “Defendants”).

2. Attached as Exhibit 82 is an excerpt of a true and correct copy of the expert report of Dr. Fiona M. Scott Morton, dated February 14, 2020.

3. Attached as Exhibit 83 is a true and correct copy of an email dated October 12, 2015, and Bates stamped Bard\_AD\_00003203.

4. Attached as Exhibit 84 is a true and correct copy of an email dated July 28, 2016, and Bates stamped Bard\_AD\_00048607.

5. Attached as Exhibit 85 is an excerpt of a true and correct copy of the transcript of the 30(b)(6) deposition of Scott Centea, taken on October 22, 2019.

DATED: October 2, 2020

/s/ Philip J. Iovieno  
Philip J. Iovieno